

**MINUTES**  
**EAU CLAIRE CITY COUNCIL LEGISLATIVE MEETING**  
**Tuesday, April 12, 2011**

**City Council Chamber**

**4:00 p.m.**

**PLEDGE OF ALLEGIANCE AND ROLL CALL**

Council President Kincaid called the meeting to order. The following members were present: Council Members Larry Balow, David Duax, Thomas Kemp, Kerry Kincaid, Mark Olson, Jackie Pavelski, Bob Von Haden, and Andrew Werthmann. Absent: Council Members David Klinkhammer, Thomas Vue, and Dana Wachs.

**SPRING ELECTION**

The City Council expressed its appreciation to the City Elections staff for their hard work in administering a successful spring election.

**CONSENT AGENDA**

The Council considered a resolution adopting the Consent Agenda for selected items of routine business on Tuesday, April 12, 2011. Thereupon a motion was offered by Council Member Kemp and seconded by Council Member Balow “to adopt the consent resolution”. Said motion passed by unanimous vote.

**LIQUOR LICENSE**

The Council considered a resolution granting a Temporary Class B Fermented Malt Beverage license to Big Brothers Big Sisters of Northwestern Wisconsin, John Van DeVoort, President, on May 12, 2011, at 5530 Fairview Drive, Eau Claire Expo Center, for a Packer Tail Gate Tour. Thereupon a motion was offered by Council Member Von Haden and seconded by Council Member Olson “to adopt said resolution”. Said motion passed by unanimous vote.

**USE OF CITY FACILITIES**

The City Council considered a resolution authorizing the UW-Eau Claire to conduct the LA SED’s El Fortin 5K along city trails on Saturday, May 7, 2011. Thereupon a motion was offered by Council Member Duax and seconded by Council Member Werthmann “to adopt said resolution”. Said motion passed by unanimous vote.

**BUDGET ADJUSTMENTS**

The City Council considered a resolution authorizing the 2010 fourth quarter budget adjustments and carryovers and the 2011 first quarter budget adjustments. Thereupon a motion was offered by Council Member Pavelski and seconded by Council Member Kemp “to adopt said resolution”. Said motion passed by unanimous vote.

The Council considered a resolution authorizing the write-off of uncollectible accounts receivable and delinquent personal property taxes. Thereupon a motion was offered by Council Member Balow and seconded by Council Member Von Haden "to adopt said resolution". Said motion passed by unanimous vote.

### **CHIPPEWA VALLEY INNOVATION CENTER**

The City Council considered a resolution approving changes to the Chippewa Valley Innovation Center Loan Fund Agreement. Thereupon a motion was offered by Council Member Pavelski and seconded by Council Member Olson "to adopt said resolution". Said motion passed by unanimous vote.

Council Member Wachs arrived in the Council Chamber.

### **PRAIRIE PARK CONDOMINIUMS**

The City Council considered a resolution approving the first addendum to the Prairie Park Condominiums plat and the revised Certified Survey Map for the Phase 2 project located on the west side of Hwy. 53, south of I-94. Thereupon a motion was offered by Council Member Duax and seconded by Council Member Pavelski "to adopt said resolution". Said motion passed by the following vote: Aye: Council Members Balow, Duax, Kincaid, Olson, Pavelski, Von Haden and Wachs. Nay: Council Members Kemp and Werthmann.

The Council considered a resolution authorizing the City Manager to amend the existing development agreement with Rooney Properties for street and utility improvements for Prairie Park Phase I to include Prairie Park Phase 2. Thereupon a motion was offered by Council Member Balow and seconded by Council Member Von Haden "to adopt said resolution". Said motion passed by unanimous vote.

Council Member Kemp left the Council Chamber.

The Council considered a resolution indicating the location of required sidewalk construction within Prairie Park Phase 2. Thereupon a motion was offered by Council Member Wachs and seconded by Council Member Olson "to adopt said resolution". Said motion passed by unanimous vote.

Council Member Kemp returned to the Council Chamber.

### **EXCESS PROPERTY**

The City Council considered a resolution approving a policy for the disposal of City-owned land and other immovable capital assets. Thereupon a motion was offered by Council Member Duax and seconded by Council Member Kemp "to adopt said resolution". Said motion passed by unanimous vote.

## **SIGN CODE AMENDMENTS**

The Council considered an ordinance amending Chapter 16.16 of the City Code of Ordinances entitled "On-premise Sign Code", relating to provisions for motor vehicle dealerships, as shown on Planning File #Z-1478-11. Thereupon a motion was offered by Council Member Pavelski and seconded by Council Member Balow "to adopt said ordinance". Thereupon a motion was offered by Council Member Duax and seconded by Council Member Kemp "offering a substitute ordinance". Said motion to substitute was accepted without objection. The Council then voted on the substitute ordinance. Said ordinance was adopted by unanimous vote.

The City Council considered an ordinance amending Chapter 16.16 of the City Code of Ordinances entitled "On-premise Sign Code", for temporary (balloon) signs as shown on Planning File #Z-1479-11. Thereupon a motion was offered by Council Member Von Haden and seconded by Council Member Wachs "to adopt said ordinance". Said motion passed by unanimous vote.

## **ZONING**

The City Council considered an ordinance rezoning property located north of Folsom Street, west of Preston Road, from R-1 to R-2P and to adopt the General Development Plan as shown on Planning File Z-1481-11. Thereupon a motion was offered by Council Member Duax and seconded by Council Member Olson "to postpone consideration said ordinance for two weeks". Said motion to postpone passed by unanimous voice vote.

The Council considered an ordinance rezoning property located west of Hawkins Avenue, south of Powell Drive, from Temporary R-1 to R-1 as shown on Planning File Z-1482-11. Thereupon a motion was offered by Council Member Werthmann and seconded by Council Member Pavelski "to adopt said ordinance". Said motion passed by unanimous vote.

## **ANNEXATION**

The City Council had first reading on an ordinance in accordance with Section 66.0217 Wisconsin Statutes, annexing to the City of Eau Claire and particularly to the 9<sup>th</sup> Assessment Ward, 5<sup>th</sup> Aldermanic District, that part of the SW¼-NW¼, of Section 13-27-10, Town of Union, Eau Claire County, as shown on Planning Drawing No. 11-1A (Schuch petition, 2313 Preston Road, Eau Claire, WI 54703).

## **SUBDIVISION CODE AMENDMENT**

The Council had first reading on an ordinance amending the Subdivision Code provisions relating to plats within the extraterritorial plat approval jurisdiction and other provisions.

## **COMPREHENSIVE PLAN AMENDMENT**

The Council had first reading on an ordinance amending the Comprehensive Plan, Land Use chapter provisions, pertaining to non-sewered development in accordance with the

intergovernmental agreement with the six adjoining towns.

### **RESIGNATION**

President Kincaid thanked Council Member Kemp for his service to the City as a member of the Council for the past four years. Council Member Kemp had submitted his letter of resignation, effective April 15, 2011.

### **ADJOURNMENT**

A motion was offered by Council Member Kemp and seconded by Council Member Balow “that this meeting does now adjourn.” Said motion passed by unanimous voice vote.

Adjournment: April 12, 2011

Time: 5:22 p.m.

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Kerry J. S. Kincaid, President

ATTEST:

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Donna A. Austad, City Clerk